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BLANK ROME LLP
600 NEW HAMPSHIRE AVENUE, N.W.
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SEP 27 2010

OFFICE OF PETITIONS

In re Patent No. RE36770 :
Issued: July 11, 2000 : ON PETITION
Application No. 09/273,567 :
Filed: March 22, 1999 :
Reissue of Patent No. 5,614,737 :
Original Issued: March 25, 1997 :
Attorney Docket No. 105773.00110

This is a second request for information in response to the petition under 37 CFR 1.378(e), filed November 30, 2009, to reinstate the above-cited patent.

Petitioner is allowed a non-extendable period for reply of **TWO (2) MONTHS** from the mailing date of this communication to provide a response. The response should be titled, "Response to Request for Information." If no response is provided within the period set forth, a decision will be made solely on the merits as set forth in the record as it exists currently. No additional fees are due.

The original patent issued March 25, 1997. The 3.5 year maintenance fee could have been paid from March 25, 2000, through September 25, 2000, or with a surcharge, as authorized by 37 CFR 1.20(h), during the period from September 26, 2000 to March 25, 2001. The maintenance fee was not paid. Accordingly, the patent expired at midnight on March 25, 2001.

Petitioner is required to address the following point:

The papers filed June 8, 2010, contained an Issue Notification with the Blank and Rome "Docketing" stamp containing a notation that indicated that the maintenance fees for the subject were docketed as: 3.5-year fee due September 25, 2004, 7.5-year fee due September 25, 2008, and 11.5-year fee due September 25, 2012, otherwise referred to by petitioner as "Exhibit B". It is established that these are not the correct maintenance fee due dates for the subject reissue patent. Of material value, however, are the initials that appear on the docketing notation. Petitioner is required to explain whose initials these are, the position of this person at Blank and Rome, and the training and experience of this person relative to the entry of the maintenance fee due date and related tasks.

Further correspondence with respect to this matter should be addressed as follows:

By mail: Commissioner for Patent
Mail Stop Petitions
Box 1450
Alexandria, VA 22313-1460

By facsimile: (571) 273-8300
Attn: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3222.

/Kenya A. McLaughlin/

Kenya A. McLaughlin
Petition Attorney
Office of Petitions